



**Request for City Council Committee Action
From the City Attorney's Office**

Date: June 6, 2011
To: Ways & Means/Budget Committee
Referral to:

Subject: Robert Lee Allison v. Debra Ann Hubert & City of Minneapolis
Court File No.:

Recommendation: That the City Council approve the settlement of this case by payment of \$6,000.00 payable to Robert Lee Allison and his attorneys, McSweeney & Fay, from Fund/Org. 06900-1500100-145400 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives: None

Prepared by: Thomas J. Miller Phone: (612) 673-2897

Approved by:

[Signature]
Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

Financial Impact:(Check those that apply)

- ☐ No financial impact (If checked, go directly to Background/Supporting Information).
- ☐ Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.
- ☐ Action provides increased revenue for appropriation increase.
- ☐ Action requires use of contingency or reserves.
- ☐ Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.
- ☒ Other financial impact (Explain): \$6,000.00 from Fund/Org. 06900-1500100-145400
- ☐ Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: Other

Background/Supporting Information:

On April 7, 2009, Robert Lee Allison was a backseat passenger in a Minneapolis Police Squad car traveling northbound on 5th Avenue South in Minneapolis, Minnesota. At that time and place, a vehicle being driven by Mark Fosterling was stopped in traffic on 5th Avenue South when the squad rear ended Mr. Fosterling's vehicle. Minneapolis Police Officer Steven Loeding responded to the scene of the collision and in his accident report noted "Following Too Closely" on the part of the City employee as the sole cause of the accident.

As a result of the crash, thirty-nine year-old Robert Lee Allison sustained injuries and in excess of \$14,459.34 in treatment expenses. He continues to suffer symptoms as a result of his related injuries.

Following extensive negotiations with his attorney, we have reached a tentative settlement of Mr. Allison's personal injury claim, including all medical bills, against Ms. Hubert and the City in the amount of \$6,000.00. This proposed settlement has been discussed with the Police Department and they are in agreement with the terms. We believe that the settlement is in the best interests of the City and recommend approval by this Committee.

TJM / 09-12753